

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA** )  
                                  )  
                                  )  
V.                            )     **CASE NO:2:05-CR-173-T**  
                                  )  
**RODNEY HARRIS**            )

**MOTION TO WITHDRAW FEDERAL DEFENDERS AS COUNSEL OF RECORD  
AND FOR APPOINTMENT OF CJA PANEL ATTORNEY<sup>1</sup>**

**COMES NOW** the Federal Defenders Office and moves to withdraw the office as Counsel of Record and for Appointment of a CJA Panel Attorney on behalf of Defendant, Rodney Harris. In support of this Motion, counsel states the following:

1. On September 2, 2005, the Federal Defender Office was appointed to represent Rodney Harris with respect to the criminal charges he faces in the above-styled case.
2. On Monday, December 5, 2005, the Federal Defenders Office discovered that a conflict exists between the Federal Defenders Office, Mr. Harris and a former client of the Federal Defenders Office.
3. Undersigned counsel requests that on behalf of Mr. Harris, CJA panel attorney Mary Ann Prince, Esquire, be appointed to represent him in all further proceedings in this case. Mr. Harris will not be prejudiced by such a change in counsel at this time.

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<sup>1</sup> On December 7, 2005, undersigned counsel moved to withdraw as counsel of record. The motion was granted on December 20, 2005. However, Kathy Puzone had also filed a notice of appearance in this case. This motion is being filed to permit complete withdrawal of all counsel from the Federal Defenders Office.

WHEREFORE, undersigned counsel prays that the office of the Federal Defender be permitted to withdraw from the representation of Mr. Harris and that CJA Panel Attorney, Mary Ann Prince, Esquire be appointed to represent him.

Dated this 21<sup>st</sup> day of December 2005.

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Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 21, 2005, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Clark Morris, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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